

REMARKS

The Specification has been amended. Claims 18, 20 - 21, 28, and 36 have been amended. Claim 39 has been added. No new matter has been introduced with these amendments or added claim, all of which are supported in the application as originally filed. Claim 19 has been cancelled from the application without prejudice (and Claims 1 - 17, 22 - 27, and 29 - 32, 34, and 37 were previously cancelled from the application without prejudice). Claims 18, 20 - 21, 28, 33, 35 - 36, and 38 - 39 are now in the application.

Applicants are not conceding that the subject matter encompassed by the claims as presented prior to this Amendment is not patentable over the art cited by the Examiner, and claim amendments and cancellations made in the present application are directed toward facilitating expeditious prosecution of the application and allowance of the currently-presented claims at an early date. Applicants respectfully reserve the right to pursue claims, including the subject matter encompassed by the claims presented prior to this Amendment and additional claims, in one or more continuing applications.

I. Rejection under 35 U. S. C. §112, first paragraph

Paragraph 5 of the Office Action dated June 24, 2010 (hereinafter, “the Office Action”) states that “... new 35 U. S. C. 112, first paragraph rejections are made [in] this action.”. However, Applicants find no rejection under 35 U. S. C. §112, first paragraph, and therefore presume that this statement in Paragraph 5 is a typographical error.

II. Rejections under 35 U. S. C. §103(a)

Paragraph 8 of the Office Action states that Claims 18, 20 - 21, 28, 33, 35 - 36, and 38 are rejected under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent Publication 2005/0065831 A1 to Keay et al. (hereinafter, “Keay”) in view of U. S. Patent 6,895,382 to Srinivasan et al. (hereinafter, “Srinivasan”). Paragraph 9 of the Office Action states that Claim 19 is rejected under 35 U. S. C. §103(a) as being unpatentable over Keay and Srinivasan in view of Baker et al., “Project Management” (hereinafter, “Baker”). These rejections are respectfully traversed with regard to the claims as currently presented.

Independent Claims 18, 28, and 36 are amended to use the term “assessment criteria” instead of the term “business objectives”¹. See para. [0025] of Applicants’ application as published, which describes **Fig. 4** as “depict[ing] sample assessment criteria for a hypothetical product for which a resource placement decision is to be made” (emphasis added). The independent claims are further amended to recite “a first plurality of the assessment criteria and ... a second plurality of the assessment criteria”², where the first plurality “pertain[s] to local skills ... and the second plurality pertain[s] to a marketplace ...”³. The first plurality is illustrated at **410** of **Fig. 4** and the second plurality is illustrated at **420**.

The independent claims are further amended to recite “creating a product profile for the

¹ See, for example, line 2 of Claim 18.

² See, for example, lines 10 - 11 of Claim 18.

³ See, for example, lines 11 - 12 of Claim 18.

product ... comprising an importance value assigned to each of [the] first plurality ... and to each of [the] second plurality ...”.⁴ A sample product profile is illustrated in **Fig. 6**. The independent claims are also amended to recite “creating a geography profile for each of the candidate locations ... comprising a score assigned to each of the first plurality ... and to each of the second plurality ... to indicate how well the candidate location meets the assessment criterion ...”.⁵ Sample geography profiles for a candidate location A and for a candidate location B are illustrated at reference numbers **900, 910** in **Fig. 9**.

The independent claims are further amended to recite “... programmatically comput[ing] a skills gap score for each of the candidate locations ...”⁶ and “... programmatically comput[ing] an opportunity gap score for each of the candidate locations ...”.⁷ A sample skills gap score for each of candidate locations A and B is illustrated at **1240** in **Fig. 10E**, and a sample opportunity gap score for each of the candidate locations is illustrated at **1230** in **Fig. 10E**. For the skills gap score, the independent claims further recite “computing a plurality of skills gap values ... by subtracting ... the score assigned to the assessment criterion in the geography profile ... from the importance value assigned to the assessment criterion in the product profile”⁸ and “summing ...

⁴ See, for example, lines 9 - 11 of Claim 18.

⁵ See, for example, lines 13 - 17 of Claim 18.

⁶ See, for example, lines 18 - 25 of Claim 18.

⁷ See, for example, lines 26 - 33 of Claim 18.

⁸ See, for example, lines 20 - 23 of Claim 18.

each of the computed skills gap values ...”.⁹ Sample skills gap values for candidate locations A and B are illustrated at **1000** and **1010** in **Fig. 10A**. For the opportunity gap score, the independent claims further recite “computing a plurality of opportunity gap values ... by subtracting ... the importance value assigned to the assessment criterion in the product profile from the score assigned to the assessment criterion in the geography profile ...”¹⁰ and “summing ... each of the computed opportunity gap values ...”.¹¹ Sample opportunity gap values for candidate locations A and B are illustrated at **1100** and **1110** in **Fig. 10C**.

Finally, the independent claims are further amended to recite “... programmatically select[ing] a particular location ... based on the ... skills gap score for each of the candidate locations and the ... opportunity gap score for each of the candidate locations.”¹² See, for example, paragraph [0083], where this is discussed.

Applicants respectfully submit that the references, whether taken singly or in combination, do not disclose the recitations currently presented in independent Claims 18, 28, and 36. In particular, Applicants find no teaching of computing a skills gap score for candidate locations by, *inter alia*, subtracting scores in a geography profile from importance values in a product profile,¹³

⁹ See, for example, lines 24 - 25 of Claim 18.

¹⁰ See, for example, lines 28 - 31 of Claim 18.

¹¹ See, for example, lines 32 - 33 of Claim 18.

¹² See, for example, lines 46 - 50 of Claim 18.

¹³ See, for example, lines 18 - 25 of Claim 18.

and computing an opportunity gap score for candidate locations by, *inter alia*, subtracting importance values in the product profile from scores in the geography profile.¹⁴ The independent claims as therefore deemed patentable as currently presented. Dependent Claims 19 - 21, 33, 35, and 38 are therefore deemed patentable at least by virtue of the patentability of the independent claims from which they depend.

In view of the above, the Examiner is respectfully requested to withdraw the §103 rejections of all claims as currently presented.

III. Conclusion

Applicants have made a sincere effort to place the claims in condition for allowance, and respectfully request reconsideration of the pending rejected claims, withdrawal of all presently outstanding rejections, and allowance of all currently-presented claims at an early date.

Respectfully submitted,

/Marcia L. Doubet/

Cust. Nbr. for Corr.: 43168
Phone: 407-343-7586
Fax: 407-343-7587

Marcia L. Doubet
Attorney for Applicants
Reg. No. 40,999

¹⁴ See, for example, lines 26 - 33 of Claim 18.